

FASULO, SHALLEY & DiMAGGIO L.L.P.
ATTORNEYS AT LAW

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U.S. DISTRICT COURT E.D.N.Y.

★ MAY 26 2006 ★

LOUIS V. FASULO *
MARGARET M. SHALLEY
CHARLES DiMAGGIO
* ADMITTED NJ

OF COUNSEL
DOUGLAS KAHAN

VIA FACSIMILE (718-613-2456)
Honorable John Gleeson
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

BROOKLYN OFFICE

May 19, 2006

The Application to surrender on
6-19-06 is granted. The govt shall
notify DOB.
An amended judgment re: home
detention shall issue. So ordered

Re: *United States v. Thomas Zerella* s/John Gleeson
05 Cr. 684 (JG)

u/sdt

5-19-05

Dear Judge Gleeson:

I represent Thomas Zerella in the above-referenced matter. On May 3, 2006, Mr. Zerella was sentenced by the Court after his plea of guilty to a violation of 18 U.S.C. §666(a)(1)(A). Mr. Zerella was sentenced to five months of incarceration and requested a surrender date of September 15, 2006. After further reflection, Mr. Zerella respectfully requests that he begin serving his sentence by surrendering on June 19, 2006. The government has no objection to this request.

Further, page 3 of the Judgment in the instant matter states that the defendant is to serve six months of home detention. My notes of the sentencing hearing and those of the government both reflect that the Court sentenced the defendant to a split sentence of five months incarceration and five months of home detention. Accordingly, I respectfully request that this clerical error be corrected. However, if the Court wishes me to order the sentencing minutes, I will do so immediately. Thank you for your consideration of this request.

Respectfully submitted,

Margaret M. Shalley

cc: AUSA Margaret Brodie

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EASTERN DISTRICT OF NEW YORK
225 CADMAN PLAZA EAST
BROOKLYN, NEW YORK 11201

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DATE: 5 / 24 / 06

FROM FAX NO. (718) 613-2399

NAME OF SENDER: Alvin Chee, Docket Clerk

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Any submissions to Judge Dearie via facsimile should be sent directly to Chambers at (718) 613-2437. Submissions by facsimile are NOT permitted without prior authorization from chambers.